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8 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 RYAN ASTLEY,

11 Plaintiff,

12 v.

13 THE BOEING COMPANY,

14 Defendant.
15

CASE NO. C17-592 MJP

MINUTE ORDER

16 The following minute order is made by the direction of the court, the Honorable Marsha
17 J. Pechman, United States District Judge:

18 Currently pending before the Court is Defendant's Motion for Summary Judgment (Dkt.
19 No. 24); oral argument is set for July 18, 2018, at 1:30 p.m.

20 Defendant's reply briefing contained a section entitled "Objections to Plaintiff's
21 Evidence" requesting that portions of Plaintiff's evidence cited in his response brief be stricken.
22 (Dkt. No. 38, Reply at 13.) Prior to hearing oral argument, the Court invites a brief response
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1 from Plaintiff to Defendant's objections. Plaintiff may file his response to the objections, not to
2 exceed three (3) pages, by no later than **July 6, 2018**.

3 Additionally, the Court notes that a portion of the evidence cited by Plaintiff and objected
4 to by Defendant is referenced in Plaintiff's responsive brief at Pages 3 – 4. It concerns reports of
5 allegations of conduct on the part of another Boeing employee (McCarty) and is objected to by
6 Defendant on hearsay grounds.

7 The Court has a more fundamental problem with the evidence, however. It cannot find it.
8 The only citation to the record concerning this evidence refers to it as located in the Declaration
9 of Owen at Exh. 1 at Boeing_Astley 000162-00163. (*See* Dkt. No. 34, Response at 3-4.) There
10 is only one Declaration of Owen in the record. (Dkt. No. 36.) The Court has reviewed that
11 entire document and been unable to locate any pages numbered "Boeing_Astley 000162-00163"
12 or containing the allegations referenced in the pleadings.

13 The parties are requested to either (1) direct the Court to the portion of the record
14 containing this evidence or (2) provide the evidence to the Court if it was somehow inadvertently
15 omitted.

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17 The clerk is ordered to provide copies of this order to all counsel.

18 Filed June 28, 2018.

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20 William M. McCool
Clerk of Court

21 s/Paula McNabb
Deputy Clerk
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